HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.25710 OF 2007

DATE: 20.12.2007

Between:

Bachu Umaraju

..... PETITIONER

AND

The Station House Officer,
I Town Police Station,
Muthyalapalem,
Nellore District & Another.

.....RESPONDENTS

HON'BLE SRI JUSTICE A. GOPAL REDDY
AND
HON'BLE SRI JUSTICE G.V.SEETHAPATHY

WRIT PETITION No.25710 OF 2007

ORDER: (Per Hon'ble Sri Justice A.Gopal Reddy)

This is a taken up writ petition on the basis of telegram sent by

the petitioner dated 26.11.2007 alleging that his cousin's wife viz., Bachu Revathi has been illegally detained by the police of I Town Police Station, Nellore since 24.11.2007.

The counter affidavit filed by the first respondent clearly discloses that the son of alleged detenu namely Bachu Arunchandra is accused No.1 in Crime No.177 of 2007 for the offence under Sections 120-B, 364, 302, 201 IPC and Sections 3(2) (v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on the file of III Town Police Station, Nellore. The said crime was registered on 9.9.2007 under the head of 'Man Missing' and since the date of registration of crime, the son of the alleged detenu is absconding. In order to ascertain the whereabouts of the son of the alleged detenu, the III Town Police, Nellore visited the house of the detenu on 28.11.2007 and recorded her statement, but they never visited the house of the alleged detenu on 24.11.2007 as alleged in the telegram. Along with the counter, the statement of the alleged detenu recorded by the Mandal Executive Magistrate, Nellore has been filed. In the said statement, the alleged detenu categorically stated that during the course of investigation, police enquired her and her husband at her house, but she was never illegally detained nor was called to the police station.

In view of the statement of the alleged detenu recorded by the Mandal Executive Magistrate, Nellore, we do not find any merit in the contents of the telegram about the illegal detention of the alleged detenu.

The writ petition is accordingly dismissed. No costs.

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A. GOPAL REDDY, J.

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20th DECEMBER, 2007

G.V.

SEETHAPATHY, J.

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